IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.8 OF 2007
IN
CIVIL APPLICATION NO.710 OF 2006
IN
APPEAL FROM ORDER ST. NO.16558 OF 2006

Abdul Rahim Gafoor Chouhan. ..Applicant.

V/s.

Municipal Corpn.of Gr.Mumbai. ..Respondent.

Mr.M.V.Holamagi for applicant.

Mrs.Geeta Joglekar for BMC.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 9, 2007.

P.C. :

1. Heard counsel for the parties.

2. This application is allowed to the limited extent of recalling the order dated 21st December, 2006 dismissing the Civil Application No.710 of 2006 for non-prosecution. Instead, the said civil application is restored to the file, to be listed for hearing on 11th January, 2007.

3. Mr.Holamagi for the applicant prays for ad-interim relief. However, as no ad-interim relief is operating in favour of the applicant since August,

2006, the question of granting that relief at the hearing of this application does not arise. That request will be considered at the time of hearing of the application for condonation of delay.

4. Leave to amend memo of civil application for condonation of delay, as prayed for is granted on condition that amendment will be carried out during the course of the day.